IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25705 of 1998

Between:

1 Thota Suranna S/o Peda Satyanarayana Murthy, Hindu
R/o Rajahmundry, East Godavari Dist.
2 K. Ramachandra Reddy S/o Appa Reddy
R/o Gangampalem, Gokavaram Mandal
East Godavari Dist.
3 Yalla Satyanaraya S/o Venkanna, Hindu
R/o Rajahmundry, East Godavari Dist.
4 Indira Priyadarshi Harijana Labour Contract Cooperative Society Limited, Regd.No.P.O.2013
rep. by President S. Elijibeth Rani Velagathodu,
East Godavari Dist.
5 Gowthami Harijan Workers Labour Contract Cooperative Society Limited, Regd.No.D.2027
Rep. by President N. Mani Kumar Dulla, Kadiyam (M),
East Godavari Dist.

.... PETITIONERS

AND

1 The Government of Andhra Pradesh rep. by its Secretary
Transport, Roads & Buildings (B.III) Department Secretariat,
Hyderabad.
2 The Engineer-in-Chief Roads & Administration,
R&B Department Erramanjil,
Hyderabad
3 The Chief Engineer, Buildings,
R&B Department Erramanjil,
Hyderabad
4 The Superintending Engineer, R & B Circle
Kakinada, E.G. Dist.
5 The Executive Engineer R & B Division
Rajahmundry, E.G. Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, or any other appropriate Writ, declaring the G.O.Ms.No.6, Transport, Roads & Buildings (B.III) Department dt: 12-1-1996 as illegal, arbitrary and irrational and consequently direct the respondents to restore the old procedure of recovering the seigniorage charges from the bills of the petitioners by the respondents and their subordinates in accordance with the G.O.Ms.No.8-10-1993

Counsel for the Petitioner:MR.N.SIVA REDDY

Counsel for the Respondent No.: GP FOR ROADS & BUILDINGS

The Court made the following order:

THE HON'BLE SRI JUSTICE N.V.RAMANA

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W.P.NO. 25705 OF 1998

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ORDER:

This writ petition is filed seeking to declare the G.O. Ms.No.6 Transport, Roads & Buildings Departments, dated 12-01-1996 as illegal, arbitrary and irrational and consequently to direct the respondents to restore the earlier procedure for recovering the seigniorage charges from the bills of the contractors by the R & B Department in accordance with G.O.Ms. No.205 Tr & B, dated 08-10-1993.

It is submitted by the learned Special Government pleader for Transport and admitted to by the learned counsel for the petitioner that the subject matter of this writ petition is squarely covered by the common order passed by this Court in W.P. No.7456 of 1997 and batch, dated
07-10-1998.

In the circumstances, following the common order of this Court in W.P. No.7456 of 1997 and batch, dated 07-10-1998, this writ petition is dismissed for the same and similar reasons. No costs.

However, it is made clear that the conditions stipulated in G.O. Ms. No.6, dated 12-01-1996 are applicable only in respect of the contracts for which the agreements are executed on or after 12-01-1996, and the works covered prior to that date shall be processed under G.O. Ms. No.205, dated 08-10-1993. If the petitioner had already drawn his bills pending payment of seigniorage fee, he shall now pay the same within a period of eight weeks from today, if not already paid. If the petitioner failed to comply with the condition, he shall also pay the penalty of five times, if the

agreements are concluded and civil works carried out beyond 12-01-1996, within a period of six weeks from today.

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N.V. RAMANA, J

28-3-2005

TVK

To

1 The Secretary,Government of Andhra Pradesh
Transport, Roads & Buildings (B.III) Department Secretariat,
Hyderabad.
2 The Engineer-in-Chief Roads & Administration,
R&B Department Erramanjil,
Hyderabad
3 The Chief Engineer, Buildings,
R&B Department Erramanjil,
Hyderabad
4 The Superintending Engineer, R & B Circle
Kakinada, E.G. Dist.
5 The Executive Engineer R & B Division
Rajahmundry, E.G. Dist.

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